

Message Text

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NSC-10 L-03 H-03 AID-20 CEA-02 CIAE-00 EA-11 FRB-02

INR-10 IO-14 NEA-10 NSAE-00 RSC-01 OPIC-12 SPC-03

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E.O. 11652: GDS

TAGS: ETRD, OECD

SUBJECT: INSTRUCTIONS FOR MEETING OF TRADE COMMITTEE WORK-
ING PARTY ON GOVERNMENT PURCHASING, DECEMBER 10, 1973

FOR POMERANZ

AT ITS OCTOBER 22-23 MEETING, THE TRADE COMMITTEE, "AGREED
TO PLACE THE QUESTION OF GOVERNMENT PURCHASING ON THE
AGENDA OF ITS NEXT MEETING, AS A PRIORITY ITEM, IN ORDER
TO DISCUSS IT IN DEPTH", AND "INSTRUCTED THE WORKING PARTY
TO PURSUE ITS WORK IN THE MEANTIME WITH A VIEW TO PREPARING
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IN PARTICULAR THE COMMITTEE'S DISCUSSION AT ITS NEXT

SESSION."

THE WEEK OF DECEMBER 10 HAS BEEN AGREED UPON AS THE DATE FOR THE WORKING PARTY MEETING. THE SECRETARIAT HAS PREPARED A "NOTE" FOR THE WORKING GROUP MEETING (TFD/TD/749). THE SECRETARIAT NOTE IS AN EXPOSITION OF ISSUES WHICH HAVE ARISEN IN THE COURSE OF THE WORKING PARTY'S DISCUSSION OF THE DRAFT INSTRUMENT. THIS DOCUMENT IS INTENDED AS AN ANNOTATED AGENDA FOR THE TRADE COMMITTEE DISCUSSION OF GOVERNMENT PURCHASING.

S. POSITION:

U.S. POSITION:

1. BASIC GUIDANCE IS CONTAINED IN STATE 229120. IN ADDITION, THE U.S. DELEGATE SHOULD BE GUIDED BY THE GOALS THE UNITED STATES SEEKS AS STATED BY THE U.S. AT THE TRADE COMMITTEE MEETING OF OCTOBER 22-23 (PARAGRAPH 2(C) OF OECD PARIS 27896).

2. THE U.S. REPRESENTATIVE SHOULD UNDERLINE OUR VIEW THAT WORK ON THE PROCUREMENT CODE SHOULD PROCEED WITH DELIBERATE SPEED IN THE OECD FOR COMPLETION OF AN AD REFERENDUM CODE WITHIN THE PERIOD OF THE MTN DISCUSSIONS, SO THAT IT MAY AS APPROPRIATE BE CONSIDERED IN RELATION TO THE MTN. FORWARD MOVEMENT IN THE OECD IN OVERCOMING WHAT IS CONSIDERED A SINGULARLY IMPORTANT AND HIGHLY VISIBLE NTB WILL HAVE A FAVORABLE IMPACT ON EFFORTS TO DEAL SUCCESSFULLY WITH A HOST OF OTHER NTBS. FAILURE TO ACHIEVE THE FOREGOING OBJECT, BY CONTRAST, COULD DETRACT MATERIALLY FROM THE OVERALL BENEFITS TO BE OBTAINED FROM THE TRADE NEGOTIATIONS.

3. THE U.S. DELEGATION SHOULD ALLAY ANY DOUBTS THAT FOREIGNERS MAY EXPRESS TO THE ABILITY OF THE ADMINISTRATION TO ADHERE TO SUCH A CODE.

4. IF QUESTIONS ARE RAISED ABOUT CONSULTATIONS WITH CONGRESS THE U.S. DELEGATION SHOULD INDICATE THAT THE ADMINISTRATION WILL DO SO AT SUCH TIME AS IT BECOMES CLEAR LIMITED OFFICIAL USE

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THAT THERE IS A SERIOUS PROSPECT FOR DEVELOPING A CODE SATISFACTORILY DEALING WITH THE ISSUES RAISED BY THE U.S. AT THE TRADE COMMITTEE MEETING OF OCTOBER 22-23. THE U.S. IS IN NO POSITION TO SAY WHAT THE CONGRESS WILL DO UNTIL WE HAVE AN AD REFERENDUM TEXT ON PRACTICES AND PROCEDURES.

5. THE U.S. DELEGATION SHOULD ATTEMPT TO FOCUS THE WORK-

ING PARTY ON THE MAIN POLICY ISSUES REFERRED TO ABOVE IN AN EFFORT TO DETERMINE THE EXTENT TO WHICH THERE IS AGREEMENT OR DISAGREEMENT IN THESE ISSUES. HOWEVER, THE U.S. DELEGATION SHOULD ATTEMPT TO PURSUADE THE WORKING PARTY TO SIMPLIFY AND CLARIFY THE DRAFT CODE TO THE EXTENT THIS WILL FURTHER THE MAIN U.S. OBJECTIVES.

6. SHOULD THE QUESTION ARISE, THE U.S. DELEGATION SHOULD STATE THAT THE U.S. POSITION ON THE CODE HAD AND CONTINUES TO HAVE THE APPROVAL OF ALL AGENCIES CONCERNED.

7. THE U.S. DELEGATE WILL PROPOSE THAT TFD/TD/749 GO INTO MORE DETAIL ON THE ISSUES OF BALANCE WITHIN THE INSTRUMENT AND DEROGATIONS.

8. THE U.S. DELEGATE WILL PROPOSE CONSOLIDATION OF SOME

ALTERNATE TEXTS ON THE EXISTING DRAFT GUIDELINES (TC(73) 15), WHERE THIS CAN BE DONE WITHOUT COMPROMISING SUBSTANTIVE POSITIONS REFLECTED BY THE ALTERNATE TEXT, WITH THE AIM OF SIMPLIFYING THE DRAFT GUIDELINES.

DISCUSSION:

TFD/TD/749 IS FAR FROM PERFECT BUT IT DOES TOUCH UPON MOST OF THE ISSUES POSED BY THE INSTRUMENT ON GOVERNMENT PURCHASING. THE MOST USEFUL CONTRIBUTION WHICH THE WORKING PARTY CAN MAKE, AT THIS STAGE, IS TO IMPROVE THIS DOCUMENT AS MUCH AS POSSIBLE SO THAT IT WILL BECOME A USEFUL BASIS FOR THE TRADE COMMITTEE'S CONSIDERATION OF GOVERNMENT PURCHASING. RUSH

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